

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

VALERIE HUNT

PLAINTIFF

V.

CAUSE NO: 1-06-CV-130-SA-JAD

DAY-BRITE LIGHTING, INC.

DEFENDANT

ORDER GRANTING MOTION IN LIMINE

This cause came on for consideration on Defendant's Motion in Limine to exclude Howard Dewayne Hunt as a witness at trial and to prohibit Plaintiff from offering into evidence any testimony related to any "trucking log book." The Court, having reviewed the submitted brief, is of the following opinion:

Plaintiff is seeking to introduce Howard Dewayne Hunt as a witness and present "trucking log book" as rebuttal testimony. The first mention of witness Howard Dewayne Hunt or the "trucking log books" was noted in Plaintiff's Pre-Trial Order on Wednesday, January 16, 2008, which was two (2) days before the final Pre-Trial Conference and eighteen (18) days before trial. Plaintiff neglected to disclose Mr. Hunt as a potential witness in her Pre-Discovery Disclosure of Core Information, Responses to Genlyte's First Set of Interrogatories, or in her Response to Defendant's Motion for Summary Judgment. Further, Plaintiff has been on notice of Mr. Hunt's name on the Sign In/Out sheet testimony since April 2, 2007.

The Court opines that the designation of Mr. Hunt and the "trucking log books" is untimely. Therefore, the Court **GRANTS** Defendant's Motion in Limine to exclude Howard Dewayne Hunt as a witness as well as any testimony related to any "trucking log book."

SO ORDERED, this the 30th day of January, 2008.

/s/ Sharion Aycock
UNITED STATES DISTRICT JUDGE